

1 EDDY HSU (BAR # 245390)  
2 LAW OFFICE OF EDDY HSU  
3 1900 S NORFOLK ST, SUITE 350  
4 SAN MATEO, CA 94403  
5 (650) 577-5950  
6 Attorneys for Debtor(s),

7 UNITED STATES BANKRUPTCY COURT

8 NORTHERN DISTRICT OF CALIFORNIA

9 In Re:

10 **Michael Haroutun Miroyan,**

11 Debtor(s).

Case No. 18-52601 MEH

Chapter 13

MOTION TO WITHDRAW AS COUNSEL BY  
DEBTOR'S COUNSEL EDDY HSU, ESQ.;  
DECLARATION IN SUPPORT

12 Debtor's Counsel, Eddy Hsu, Esq. hereby submits this **Motion to Withdraw as Counsel**  
13 **by Debtor's Counsel Eddy Hsu, esq:**

14 Since filing, Debtor and his counsel's relationship has broken down to the point where  
15 irreconcilable differences exist. Debtor's Counsel cannot effectively represent Debtor in his  
16 bankruptcy and wishes to be relieved prior to the Motion for Relief from Stay hearing so that  
17 Debtor can request for a continuance to find new counsel or file his own response

18 **RELEVANT FACTS**

- 19 1. Debtor filed his skeleton bankruptcy petition on November 26, 2018. Since that time, all  
20 remaining schedules and a proposed Chapter 13 plan were timely filed.  
21 2. Since that time, (3) objections to confirmations have been filed (docket item 22, 28 and  
22 29). A Motion for Relief from Stay has been filed and scheduled for **January 17, 2019**  
23 at 10:00 a.m.. (docket item 24).  
24  
25

1 3. Debtor did not appear for the 341 meeting scheduled for January 7, 2019 although  
2 Debtor's counsel and Creditor's Counsel both made appearances. The 341 meeting was  
3 continued.

4 WHEREFORE, the Debtor's Counsel prays that this Court enter the following order:

5 **Debtor's Counsel is allowed to Withdraw as attorney of record for the Debtor who will be**  
6 **in pro per moving forward.**

8 LAW OFFICE OF EDDY HSU

9 Dated: January 7, 2019

10 /s/ Eddy Hsu  
11 EDDY HSU  
Attorney for Debtor

12 **DECLARATION IN SUPPORT BY EDDY HSU, ESQ.**

13 I, **EDDY HSU**, file this declaration in Support of my Motion to Withdraw as Counsel. At this  
14 point, Debtor and I have reached irreconcilable differences to the point where I cannot  
15 satisfactorily represent the Debtor in his case.

- 16 1. When I filed Debtor's skeleton bankruptcy, I had less than 1 day of interaction with him.
  - 17 2. Since filing, Debtor and I have several heated exchanges where Debtor has hurled insults  
18 at me from all issues including the law, my practices, my personality, and my intelligence.
  - 19 3. Debtor likes to scream during our conversations and is so loud, one office manager asked  
20 if I needed security called and another simply asked us to leave. Since then, I meet the  
21 Debtor at outside locations where he continues to scream at me despite the public setting.
  - 22 4. Debtor sent me an email on December 31, 2018 (New Year's Eve) where Debtor called  
23 me "condescending," "an idiot," and "a moron." This level of animosity on a non-work  
24 day demonstrates how toxic the relationship has become.
- 25

- 1 5. Debtor consistently wanted me to meet with him or call him late at night, on weekends,  
2 and during my vacation to discuss “important matters” which were nothing but a rehash  
3 of Debtor’s theories and nothing to do with his actual case.
- 4 6. Debtor refuses to obtain the most basic documents necessary for his case. Instead Debtor  
5 produces documentation which I, as the attorney of record, did not feel could be presented  
6 to Court.
- 7 4. I have tried several times with the Debtor to set boundaries which were always ignored.
- 8 5. I presented Debtor with a substitution of attorney but Debtor refused to sign because he  
9 insisted that I continue to work on his case despite our differences and his lack of  
10 confidence in me.
- 11 6. I believe I should be relieved as counsel prior to the Motion for Relief from Stay so that  
12 Debtor can ask for a continuance to obtain new counsel or present his own response to  
13 the Motion. Debtor has made it clear that my approach to the Motion for Relief from  
14 Stay does not meet his satisfaction as representation.  
15

16  
17 I declare under penalty of perjury under the laws of the United States of America that the  
18 foregoing is both true and correct. Executed this 7th day of January 7, 2019 in San Mateo,  
19 California.

20 **LAW OFFICE OF EDDY HSU**

21  
22 Dated: January 7, 2019

23 /s/ Eddy Hsu  
24 EDDY HSU  
25 Attorney for Debtor